

**REMARKS**

The Applicant requests reconsideration and allowance of claims 1 through 22 in view of the above amendments and the following arguments.

**AMENDMENTS TO THE CLAIMS**

Independent claims 1, 10, and 17 have been amended to include a limitation requiring displaying the gaming results associated with a game ticket if a cover is not present on the game ticket. In addition, amended claims 1, 10, and 17 require that displaying the gaming results associated with a particular game ticket includes individually displaying each game play outcome of a number of game play outcomes associated with a particular game ticket. The support for this amendment of these claims is found at p. 9, lines 17 through 19 and p. 21, lines 15 through 21 of the specification of the present application. In addition, support for this amendment of these claims is found in United States Patent No. 6,899,622, which has been incorporated by reference into the present application. (See p. 2, lines 5-8 of the specification of the present application). Specifically, the support for this amendment can be found at col. 8, lines 42-51; col. 10, lines 20-29; and col. 12, lines 7-9 of U.S. Patent No. 6,899,622. These claims have also been amended for consistency with the newly added limitation. Additionally, claims 4, 12, and 19 have been amended to reflect this amendment to claims 1, 10, and 17, respectively.

Claim 2 has been amended to require that a cover sensor output is produced at a cover sensor. The support for this amendment is found in the specification of the present application at page 14, lines 2-7.

Claims 12, 18, and 19 have been amended to make the terms used in these claims

1 consistent with the terms used throughout the disclosure. Claim 1, 10, 21, and 22 have been  
2 amended to correct antecedent basis errors.

3  
4 AMENDMENTS TO THE SPECIFICATION

5 Most of the amendments to the specification have been made to correct typographical  
6 errors or to provide consistency between the terms used in the claims and in the specification.  
7 However, the amendment associated with item 5 above replacing the paragraph beginning on  
8 page 18 at line 9 adds a sentence in accordance with the limitation required by claim 22. In  
9 addition, the amendment associated with item 6 above replacing the paragraph beginning on page  
10 21 at line 15 adds a sentence to support the amendments to claims 1, 10, and 17 requiring that  
11 displaying the gaming results associated with the game ticket includes individually displaying  
12 each game play outcome of the number of game play outcomes. The support for this amendment  
13 is found in U.S. Patent No. 6,899,622 which is incorporated by reference into the present  
14 application, as stated above. Specifically, the support for this amendment to the specification is  
15 found at col. 8, lines 42-51; col. 10, lines 20-29; and col. 12, lines 7-9 of U.S. Patent No.  
16 6,899,622.

17 No new matter has been added to the disclosure by these amendments to the specification.  
18

19 PROPOSED AMENDMENT TO THE TITLE OF THE INVENTION

20 The current Office Action suggests amending the title of the invention because the title is  
21 not descriptive. However, the Applicant submits that the title "APPARATUS AND METHOD  
22 FOR CONTROLLING AN ELECTRONIC GAMING PLAYER STATION" is descriptive

1 because the present application describes a number of aspects relating to a networked electronic  
2 gaming player station rather than just the aspects of determining the orientation of a ticket and  
3 whether or not the cover has been removed.

4  
5 CLAIMS 1-22 ARE DIRECTED TO STATUTORY SUBJECT MATTER AS REQUIRED BY  
6 35 U.S.C. §101  
7

8 The current Office Action rejects claims 1 through 22 under 35 U.S.C. §101 on the  
9 grounds that the claimed invention lacks patentable utility. In particular, the current Office  
10 Action rejects claims 1 through 22 by stating that the claimed invention provides no tangible  
11 results and that the system performs in the same way whether or not a ticket is inserted into the  
12 player station. However, The Applicant asserts that this rejection is in error because the claimed  
13 invention does satisfy the utility requirement of 35 U.S.C. §101.

14 A claimed invention is considered statutory when it falls within one of the four statutory  
15 categories of patentable subject matter and produces a useful and concrete and tangible result.  
16 See *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*, 47 USPQ2d 1596 (Fed.  
17 Cir. 1998). Claims 1, 10, and 17 fall within the four statutory categories of patentable subject  
18 matter because these claims are directed to a process, machine, and program product,  
19 respectively. In addition, the Applicant asserts that each of claims 1, 10, and 17 produce a useful,  
20 concrete, and tangible result because these claims require disabling a player station from  
21 displaying gaming results associated with a game ticket if a cover is detected on the game ticket  
22 and displaying the gaming results associated with the game ticket if the cover is not detected.  
23 The disabling of the player station from displaying gaming results associated with a game ticket  
24 is useful because it prevents the violation of gaming regulations that require that the cover of a

1 lottery ticket must be removed in order for a player to see the result. (p. 2, line 17 - p. 3, line 7 of  
2 the specification of the present application). In addition, displaying the gaming results associated  
3 with a game ticket is a concrete and tangible result.

4 Therefore, since independent claims 1, 10, and 17 fall within one of the four statutory  
5 categories of patentable subject matter and produce a useful and concrete and tangible result, the  
6 rejection of these claims along with their respective dependent claims is in error and the  
7 Applicant requests removal of the rejection under 35 U.S.C. §101.

8  
9 CLAIMS 1-2, 6, 9-13, & 16-22 ARE NOT ANTICIPATED UNDER 35 U.S.C. §102 BY  
10 KAMILLE  
11

12 The current Office Action rejects claims 1-2, 6, 9-13, & 16-22 under 35 U.S.C. §102(b)  
13 as being anticipated by U.S. Patent No. 5,996,997 to Kamille ("Kamille" or the "Kamille patent").  
14 The Applicant respectfully submits that claims 1 through 22 are not anticipated by Kamille and  
15 are entitled to allowance.

16  
17 Independent Claim 1

18 Claim 1 is directed to a method of controlling a player station adapted to display gaming  
19 results associated with a game ticket where the game ticket includes a number of game play  
20 outcomes. Claim 1 requires:

- 21 (a) detecting whether the game ticket inserted at the player station includes a cover;  
22 (b) disabling the player station from displaying the gaming results associated with the  
23 game ticket in the event that the step of detecting whether the game ticket includes  
24 the cover indicates that the cover is present on the game ticket; and  
25 (c) displaying the gaming results associated with the game ticket at the player station  
26 in the event that the step of detecting whether the game ticket includes the cover  
27 indicates that the cover is not present on the game ticket, where displaying the

1 gaming results associated with the game ticket includes individually displaying  
2 each game play outcome of the number of game play outcomes.  
3

4 The Kamille patent discloses a probability game that includes game pieces that have a  
5 number of covered areas where the cover may be removed from any particular area. Each  
6 covered area is associated with a particular result, such as "win \$1" or "void." An outcome for  
7 the game is identified by the results associated with any uncovered areas. A particular game  
8 piece may be scored and authenticated by sending the game piece through a device, such as a bar  
9 code scanner.

10 Kamille does not disclose displaying the gaming results associated with the game ticket at  
11 the player station in the event that the step of detecting whether the game ticket includes the  
12 cover indicates that the cover is not present on the game ticket, where displaying the gaming  
13 results associated with the game ticket includes individually displaying each game play outcome  
14 of the number of game play outcomes, as required by element (c) of claim 1. Therefore, since the  
15 Kamille patent does not teach or suggest each element required by claim 1, claim 1 is entitled to  
16 allowance along with its respective dependent claims, including claims 2, 6, and 9.  
17

18 Independent Claims 10 and 17

19 Independent claims 10 and 17 are apparatus and program product claims, respectively,  
20 that require limitations corresponding to the limitations required by elements (a) through (c) of  
21 claim 1. In particular, claims 10 and 17 require displaying the gaming results associated with the  
22 game ticket at the player station in the event that the step of detecting whether the game ticket  
23 includes the cover indicates that the cover is not present on the game ticket, where displaying the  
24 gaming results associated with the game ticket includes individually displaying each game play

1 outcome of the number of game play outcomes. Since claims 10 and 17 require limitations  
2 corresponding to the limitations required by element (c) of claim 1, the arguments presented  
3 above with respect to claim 1 apply with equal force to independent claims 10 and 17. Because  
4 the Kamille patent does not disclose individually displaying each game play outcome of a  
5 number of game play outcomes for a game ticket at a player station if the cover is not present on  
6 the game ticket, claims 10 and 17 cannot be anticipated by Kamille. Therefore, claims 10 and 17  
7 are entitled to allowance along with their respective dependent claims, including claims 11-13  
8 and 16 and claims 18-22.

9  
10 CLAIMS 1 THROUGH 22 ARE NOT ANTICIPATED UNDER 35 U.S.C. §102 BY KAMILLE

11 The current Office Action rejects claims 3-5, 7, 8, 14, and 15 under 35 U.S.C. §103(a) as  
12 being obvious over Kamille. The Applicant submits that claims 3-5, 7, 8, 14, and 15 are not  
13 obvious over Kamille because Kamille does not teach each and every element required by these  
14 claims.

15 The current Office Action appears to assert that it would have been obvious to modify  
16 Kamille to include the limitations required by claims 3-5, 7, 8, 14, and 15. However, Kamille  
17 does not disclose displaying the gaming results associated with the game ticket at the player  
18 station in the event that the step of detecting whether the game ticket includes the cover indicates  
19 that the cover is not present on the game ticket, where displaying the gaming results associated  
20 with the game ticket includes individually displaying each game play outcome of the number of  
21 game play outcomes, as required by independent claims 1, 10, and 17. The modifications to  
22 Kamille asserted by the current Office Action do not make up for this deficiency in Kamille.

1 Because Kamille does not teach or suggest individually displaying each game play outcome of  
2 the number of game play outcomes for a game ticket at a player station if the cover is not present  
3 on the game ticket, claims 3-5, 7, 8, 14, and 15 cannot be obvious over Kamille. Therefore,  
4 claims 3-5, 7, 8, 14, and 15 are entitled to allowance.

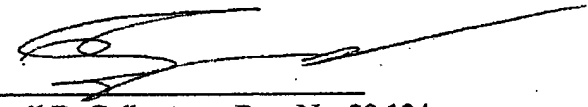
5  
6 **CONCLUSION**

7 For all of these reasons, the Applicant requests reconsideration and allowance of claims 1  
8 through 22. If the Examiner should feel that any issue remains as to the allowability of these  
9 claims, or that a conference might expedite allowance of the claims, she is asked to telephone the  
10 Applicant's attorney Russell D. Culbertson at the number listed below prior to issuing a further  
11 action.

12 Respectfully submitted,

13  
14 The Culbertson Group, P.C.

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18 Date: September 21, 2005

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26 **CERTIFICATE OF FACSIMILE**

27 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark  
28 Office, (Facsimile No. 571.273.8300) on September 21, 2005.

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